

- ¹Species B: Indirect attachment of power supply to lineset;
- Species C: Fuel Cell;
- Species D.: AC power means;
- Species E: Battery;
- Species F: Frangible membrane;
- Species G: Tear seal;
- Species H: Both a frangible membrane and a tear seal;
- Species I: Low temperature fuel cell;
- Species J: Reaction type fuel cell;
- Species K: Valve;
- Species L: Flow sensor;
- Species M: Pump;
- Species N: Pressure Sensor;
- Species O: Feedback control input;
- Species P: Biological status sensor;
- Species Q: Applicant specified closed-loop type sensor;
- Species R: Applicant specified combination of Species K, L, M, N, O, P, and Q.

Claims 1-58 are pending in the present Application. In the Official Action, the Examiner has entered a restriction requirement which requires election of one of the following groups of claims:

Group I: Species A, corresponding to Claims 1-4, 6-50, and 53-58; or

Group II: Species B, corresponding to Claims 1, 5-14, 16-18, 39-42, 45-47, and 50-52.

Independent Claims 1, 39 and 47 are generic to Groups I and II. Dependent Claims 6-14, 16-18, 40-42, 45 and 46 are also generic to Groups I and II.

The claims of Group I have been further restricted, requiring election between one species from each of the following groups:

Group III: Species C (Claims 6, 12-14, 21-24, 26-29, 31-35, 37, 40-42, 45, 46, 52 and 55-58), D (Claim 7), or E (Claims 8 and 9);

Group IV: Species K, L, M, N, O, P, Q, or R (individual members of the groups set forth in Claims 4 and 50).

Claims 1-5, 10, 11, 15-20, 25, 30, 36, 38, 39, 43, 44, 47-51, 53 and 54 are considered generic to the species of Group III.

Claims 1-3, 5-49 and 51-58 are considered generic to the species of Group IV.

The claims of Species C of Group III have been further restricted, requiring election between one species from the following group:

Group V: Species I (Claims 14, 24, 26, 27, 37, 46, and 58) or Species J (Claims 12, 13, 22, 23, 28, 29, 31-35, 40-42, 56 and 57).

Claims 1-6, 10, 11, 15-21, 25, 27, 30, 36, 38, 39, 43-45, and 47-55 are considered generic to the species of Group V.

Finally, the claims of Species J of Group V have been further restricted, requiring election between one species from the following group:

Group VI: Species F (Claim 34 and individual members from the group set forth in Claims 13, 23, 35, 42 and 57), Species G (Claim 33 and individual members from the group set forth in Claims 13, 23, 35, 42 and 57), or Species H (individual members from the group set forth in Claims 13, 23, 35, 42 and 57).

Claims 1-6, 10-13, 15-23, 25, 27-32, 35, 36, 38-45, and 47-57 are considered generic to the species of Group VI.

Group VII: Claims 1, 10, 11, 16-18, 39 and 47 are considered to be generic to all groups and species.

Provisional Election

In response, if the Examiner makes the restriction requirement final, Applicants provisionally elect for prosecution on the merits, the claims of Group VII, i.e., Claims 1, 10, 11, 16-18, 39 and 47. Applicants request that the remaining non-elected claims, Claims 2-9, 12-15, 19-38, 40-46, and 48-58 be withdrawn from consideration without prejudice. Applicants understand that should any generic claims be finally held allowable, then the species of the withdrawn claims will be considered allowable as well.

In a telephone conference between Examiner Cheryl Tyler and counsel for Applicants, Robert W. Diehl, on July 3, 2003, it was agreed to re-characterize the restriction requirement to reflect the above-referenced groups (see attached *Interview Summary*). Applicants would like to thank Examiner Tyler for her time spent in discussing the restriction requirement with Mr. Diehl. Further, Examiner Tyler agreed that at least Claim 1 was generic. Both parties agreed that at least Claim 19 was not generic.

Application No. 10/040,908
RESPONSE TO RESTRICTION REQUIREMENT
Page 5

If it would expedite the progress of this Application through the examination process, the Examiner is authorized to call the undersigned attorney.

Respectfully submitted,

Dated: July 21, 2003

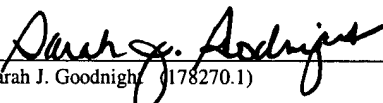
By: 

Robert W. Diehl, Reg. No. 35,118
Wallenstein & Wagner, Ltd.
311 S. Wacker Drive, 53rd Floor
Chicago, Illinois 60606-6630
312.554.3300
Attorneys for Applicants

Express Mail Label No. EV293496656US

Date of Deposit: July 21, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Mail Stop NON-FEE AMENDMENT, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.


Sarah J. Goodnight (178270.1)